

Remarks:

This is in response to the Office Action dated November 15, 2006 that indicated that the then newly presented claims 18-23 were directed to a non-elected invention. Applicant amends claims 18-23 so that they are directed to the originally elected playback system invention. Pursuant to this amendment claims 18-23 are pending. Reexamination and reconsideration are respectfully requested.

The Office Action objected to the drawings. Applicant submits proposed drawing changes to address this objection.

The previous Office Action rejected the previously pending claims under section 103 over U.S. Patent No 6,611,212 to Craven, et al., taken in view of U.S. Patent No. 5,933,398 to Fujinami. Applicant submits that the offered combination would not have been made and that the resulting combination, if made, would not have rendered obvious the claims of the present application.

The Craven patent describes a conventional DVD audio decoding system as described in the background of the present application and illustrated in FIG. 1 of the present application. As shown in FIGS. 2-3 of the Craven patent, FIFO buffers or other buffers are required to prevent underflow conditions between the depacketiser and the decoder. The Craven patent explains the necessity of FIFOs in column 6 at lines 51-57 with reference to U.S. Patent No. 6,023,233. The '233 patent, which also lists Craven as an inventor, explains that a FIFO is necessary between the medium on which the audio data is stored and the decoder to "absorb" high rate data bursts and to avoid underflow conditions. These teachings of the Craven patent are entirely consistent with the teachings of the present application about the conventional implementations using FIFOs.

There is nothing the Craven patent nor in the Fujinami patent that suggests that one can provide a system for decoding multiple substream audio, such as DVD audio, that does not include a FIFO or other type of buffer. Certainly the inventor

of the Craven '212 patent cited against this application does not suggest such a possibility, as the inventor of the Craven '212 patent has separately patented that very use of a FIFO in his '233 patent.

The Fujinami patent similarly does not suggest that an audio system that provides multiple substreams, such as a DVD audio system, can be produced that does not use a FIFO or similar buffer between the storage medium and the decoder to ensure that the decoder does not underflow. Most simply, the Fujinami patent deals with the technology of video CDs (VCD's) that operate at much reduced data rates compared to the system of the Craven patent. Nothing in the Fujinami patent provides any reason to second guess or contradict the Craven patent's unequivocal teachings on the necessity of the FIFOs along the decoder data path. Rather, the Fujinami patent describes the use of a video decoder in parallel with the audio decoder. The video rates used in such a system would be well in excess of the audio rates and so the audio decoder of the Fujinami system would not be expected to have as strong of demands as the video decoder. The use of slow rates in the Fujinami patent's system does not suggest a solution to the underflow problem that requires the presence of the FIFOs in the Craven patent's system.

One of ordinary skill in the art would not find in the Fujinami patent a motivation to remove the FIFOs from the Craven patent's system, as explained above. Moreover, one of ordinary skill in the art would not expect such a system without FIFOs to work. The Craven patent teaches that the FIFOs in its FIGS. 2 and 3 are needed for proper operation. There are no solutions in the Fujinami patent that would teach one how to remove the FIFOs from the Craven patent's system and yet provide a working system. Consequently, one of ordinary skill in the art would expect to produce an inoperative system if the Craven patent's system were modified in accordance with the Fujinami patent.

In addition, the Craven patent teaches using different decoders for each substream. The Fujinami patent does not discuss substreams, but does show using a different audio decoder 8a, 8b and 8c for each different channel of audio data. Fujinami patent, col. 5, lines 5-8. By contrast, the invention of claim 18 uses the same decoder core to decode first and second substreams from a single access unit of audio data. This is neither taught nor suggested by the prior art of record.

Consequently, claim 18 distinguishes over the art of record by reciting that:

“wherein the depacketized access unit is transmitted directly to the decoder core without buffering,

the decoder core decodes the depacketized access unit for a first substream of the access unit if the number of the substreams is more than one, and

the decoder core decodes the depacketized access unit for a second substream of the access unit after the first substream is decoded if the number of the substreams is more than one.”

Neither the Craven patent nor the Fujinami patent describe decoding first and second substreams using the same decoder core. Nor does the other prior art of record describe such an operation. Consequently, claim 18 and its dependent claims 19-23 distinguish over the art of record and is in condition for allowance.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
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